

**MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT**  
**United States Patent Application**

**COMBINED DECLARATION AND POWER OF ATTORNEY**

We below are some of the named inventors do declare that: our residence, post office address and citizenship are as stated below next to our names; that

We believe that we are the original, joint inventors (Raghu Sharma, Jeffrey P. Davis, Timothy D. Gunn, Ping Li, Sidhartha Maitra, Ashish Thanawala, Steve Young) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPUTER-BASED MULTIFUNCTIONAL PERSONAL COMMUNICATIONS SYSTEM

The specification of which

a.    is attached hereto

b. XX was filed on January 8, 1993 as application serial no. 08/002467 and was amended on    (if applicable) (in the case of a PCT-filed application) described and claimed in international no.    filed    and as amended on    (if any), which I have reviewed and for which I solicit a United States patent.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 3 attached hereto).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a.    no such applications have been filed.

b.    such applications have been filed as follows:

**FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

**ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

We hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

We hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Batzli, Brian H.	Reg. No. 32,960	Hillson, Randall A.	Reg. No. 31,838	Schwappach, Karl G.	Reg. No. P-35,786
Beck, Robert C.	Reg. No. 28,184	Johnson, David G.	Reg. No. 31,628	Schwegman, Micheal L.	Reg. No. 25,816
Bogucki, Raymond A.	Reg. No. 17,426	Kluth, Daniel J.	Reg. No. 32,146	Sebald, Gregory A.	Reg. No. 33,280
Brennan, Thomas F.	Reg. No. P-35,075	Kowalchuk, Alan W.	Reg. No. 31,535	Smith, Phillip H.	Reg. No. 20,476
Bruss, Steven C.	Reg. No. 34,130	Lasky, Michael B.	Reg. No. 29,555	Smith, Stephanie J.	Reg. No. 34,437
Byrne, Linda M.	Reg. No. 32,404	Lundberg, Steven W.	Reg. No. 30,568	Sorensen, Andrew D.	Reg. No. 33,606
Carlson, Alan G.	Reg. No. 25,959	Mau, Michael L.	Reg. No. 30,087	Stenstrom, Dennis G.	Reg. No. 28,910
Caspers, Philip P.	Reg. No. 33,227	Maxin, John L.	Reg. No. 34,668	Strawbridge, Douglas A.	Reg. No. 28,376
Clifford, John A.	Reg. No. 30,247	McDonald, Daniel W.	Reg. No. 32,044	Strodthoff, Kristine M.	Reg. No. 34,259
Conrad, Timothy R.	Reg. No. 30,164	McDonald, Wendy M.	Reg. No. 32,427	Sumner, John P.	Reg. No. 29,114
DiPietro, Mark J.	Reg. No. 28,707	Michel, Michelle M.	Reg. No. 33,968	Sumners, John S.	Reg. No. 24,216
Edell, Robert T.	Reg. No. 20,187	Moy, R. Carl	Reg. No. 30,725	Taylor, Gregory M.	Reg. No. 34,263
Freed, Robert C.	Reg. No. 32,569	Mueting, Ann M.	Reg. No. 33,977	Tellekson, David K.	Reg. No. 32,314
Gates, George H.	Reg. No. 33,500	Nelson, Albin J.	Reg. No. 28,650	Underhill, Albert L.	Reg. No. 27,403
Gebhardt, Mark J.	Reg. No. P-35,518	Raasch, Kevin W.	Reg. No. P-35,651	Vandenburgh, J. Derek	Reg. No. 32,179
Golla, Charles E.	Reg. No. 26,896	Reiland, Earl D.	Reg. No. 25,767	Welter, Paul A.	Reg. No. 20,890
Gould, John D.	Reg. No. 18,223	Rothfus, Joel A.	Reg. No. 33,277	Williams, Douglas J.	Reg. No. 27,054
Gresens, John J.	Reg. No. 33,112	Schmidt, Cecil C.	Reg. No. 20,566	Woessner, Warren D.	Reg. No. 30,440
Hamre, Curtis B.	Reg. No. 29,165	Schuman, Mark D.	Reg. No. 31,197		
Harris, Kari S.	Reg. No. P-35,183	Schumann, Michael D.	Reg. No. 30,422		

We hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which we hereby declare that we have consented after full disclosure to be represented unless/until we instruct Merchant, Gould to the contrary.


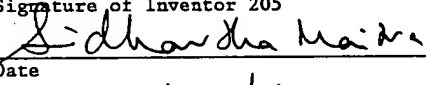
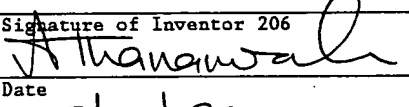
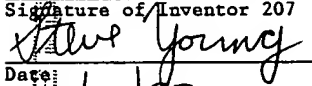
Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

Attention: Daniel J. Kluth  
3100 Norwest Center, Minneapolis, MN 55402-4131  
Telephone No. (612)332-5300

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	Full Name Of Inventor	Family Name SHARMA	First Given Name RAGHU	Second Given Name
201	Residence & Citizenship	City NORTH OAKS	State or Foreign Country MINNESOTA	Country of Citizenship USA
	Post Office Address	Post Office Address 16 EVERGREEN ROAD	City NORTH OAKS	State & Zip Code/Country MN 55127/USA
202	Full Name Of Inventor	Family Name DAVIS	First Given Name JEFFREY	Second Given Name P.
202	Residence & Citizenship	City HAM LAKE	State or Foreign Country MINNESOTA	Country of Citizenship USA
	Post Office Address	Post Office Address 3244 146TH AVENUE NE	City HAM LAKE	State & Zip Code/Country MN 55304/USA
203	Full Name Of Inventor	Family Name GUNN	First Given Name TIMOTHY	Second Given Name D.
203	Residence & Citizenship	City MOUNDS VIEW	State or Foreign Country MINNESOTA	Country of Citizenship USA
	Post Office Address	Post Office Address 8120 RED OAK COURT	City MOUNDS VIEW	State & Zip Code/Country MN 55432/USA
	Signature of Inventor 201	Signature of Inventor 202	Signature of Inventor 203	
	Date 7/13/93	Date 7-13-93	Date 7-13-93	

For Additional Inventors:  
— Indicate here and attach sheet with same information, including date and signature.

2	Full Name Of Inventor	Family Name LI	First Given Name PING	Second Given Name
0	Residence & Citizenship	City NEW BRIGHTON	State or Foreign Country MINNESOTA	Country of Citizenship PRC
4	Post Office Address	Post Office Address 694 4TH AVENUE	City NEW BRIGHTON	State & Zip Code/Country MN 55112/USA
2	Full Name Of Inventor	Family Name MAITRA	First Given Name SIDHARTHA	Second Given Name
0	Residence & Citizenship	City SARATOGA	State or Foreign Country CALIFORNIA	Country of Citizenship USA
5	Post Office Address	Post Office Address 13750 SURREY LANE	City SARATOGA	State & Zip Code/Country CA 95070/USA
2	Full Name Of Inventor	Family Name THANAWALA	First Given Name ASHISH	Second Given Name
0	Residence & Citizenship	City SARATOGA	State or Foreign Country CALIFORNIA	Country of Citizenship INDIA
6	Post Office Address	Post Office Address 14234 SARATOGA - SUNNYVALE ROAD	City SARATOGA	State & Zip Code/Country CA 95070/USA
2	Full Name Of Inventor	Family Name YOUNG	First Given Name STEVE	Second Given Name
0	Residence & Citizenship	City SARATOGA	State or Foreign Country CALIFORNIA	Country of Citizenship USA
7	Post Office Address	Post Office Address 14921 VICKERY LANE	City SARATOGA	State & Zip Code/Country CA 95070/USA
Signature of Inventor 204		Signature of Inventor 205		Signature of Inventor 206
				
Date 7/21/93		Date 7/21/93		Date 7/21/93
Signature of Inventor 207				
				
Date 7/21/93				

#### 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPUTER-BASED MULTIFUNCTION PERSONAL COMMUNICATION SYSTEM WITH CALLER ID.

The specification of which

a.    is attached hereto

b. X was filed on November 10, 1994 as application serial no. 08/338,340 and was amended on    (if applicable) (in the case of a PCT-filed application) described and claimed in international no.    filed    and as amended on    (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 3 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a.    no such applications have been filed.

b. X such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

US APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS(patented, pending, abandoned)
08/002,467	January 8, 1993	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

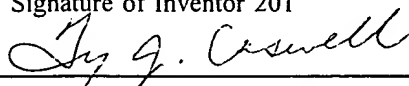
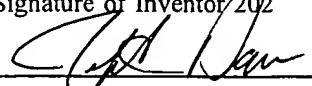
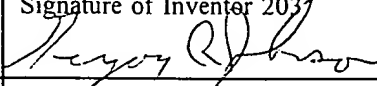
Billig, Patrick G. Reg. No. 38,080  
Brennan, Thomas F. Reg. No. 35,075  
Kluth, Daniel J. Reg. No. 32,146  
Gebhardt, Mark J. Reg. No. 35,518  
Lundberg, Steven W. Reg. No. 30,568

Muetting, Ann M. Reg. No. 33,977  
Raasch, Kevin W. Reg. No. 35,651  
Schwappach, Karl G. Reg. No. 35,786  
Schwegman, Micheal L. Reg. No. 25,816  
Woessner, Warren D. Reg. No. 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, & Woessner, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg & Woessner, P.A., Attention: Daniel J. Kluth, 3500 IDS Center, Minneapolis, MN 55402 Telephone No. (612)339-0331.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		CASWELL	Ty	J.
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Big Lake	Minnesota	U.S.A.
202	Post Office Address	Post Office Address	City	State & ZipCode/Country
		651 Park Avenue East	Big Lake	MN/55309/USA
	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		DAVIS	Jeffrey	P.
203	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Ham Lake	Minnesota	USA
	Post Office Address	Post Office Address	City	State & ZipCode/Country
		3244 146th Avenue	Ham Lake	MN/55304/U.S.A.
203	Full Name of Inventor	Family Name	First Given Name	Second Given Name
		JOHNSON	Gregory	R.
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		New Brighton	Minnesota	U.S.A.
203	Post Office Address	Post Office Address	City	State & ZipCode/Country
		3143 Brookshire Lane	New Brighton	MN/55112/U.S.A.
Signature of Inventor 201		Signature of Inventor 202		Signature of Inventor 203
				
Date 12-5-94		Date 12-5-94		Date 12-5-94

For Additional Inventors:

☒ Indicate here and attach sheet with same information, including date and signature.

204	Full Name of Inventor	Family Name	First Given Name	Second Given Name	
		REINARTS	Timothy	J.	
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship	
		Ramsey	Minnesota	U.S.A.	
	Post Office Address	Post Office Address	City	State & ZipCode/Country	
		9081 167th Lane N.W.	Ramsey	MN/55303/USA	
205	Full Name of Inventor	Family Name	First Given Name	Second Given Name	
		SUN	Ting		
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship	
		Minneapolis	Minnesota	China	
	Post Office Address	Post Office Address	City	State & ZipCode/Country	
		3107 4th Street S.E., Apt. 3	Minneapolis	MN/55414/USA	
206	Full Name of Inventor	Family Name	First Given Name	Second Given Name	
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship	
	Post Office Address	Post Office Address	City	State & ZipCode/Country	
Signature of Inventor 204		Signature of Inventor 205		Signature of Inventor 206	
Date 12-5-94		Date 12-5-94		Date	

For Additional Inventors:

— Indicate here and attach sheet with same information, including date and signature.

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Raghu Sharma et al. ) Group Art Unit: Unassigned  
Serial No.: Unassigned ) Examiner: Unassigned  
Filed: Herewith )  
For: COMPUTER-BASED MULTI-MEDIA COMMUNICATIONS SYSTEM AND METHOD

ELECTION UNDER 37 C.F.R. §§3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, being Assignee of the entire right, title and interest in the above-identified application by virtue of Assignments recorded in the United States Patent and Trademark Office as set forth below or filed herewith, hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints: Ann M. Muetting (Reg. No. 33,977); Kevin W. Raasch (Reg. No. 35,651); Mark J. Gebhardt (Reg. No. 35,518); Victoria A. Sandberg (Reg. No. 41,287); David L. Provence (Reg. No. 43,022); Matthew W. Adams (Reg. No. 43,459); and Loren D. Albin (Reg. No. 37,763).

as its attorney or agent (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Pursuant to 37 C.F.R. §3.73, the undersigned certifies that the evidentiary documents have been reviewed, specifically the Assignment to Multi-Tech Systems, Inc. referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Attention: Mark J. Gebhardt  
Muetting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Customer Number 26,813

ASSIGNEE: MULTI-TECH SYSTEMS, INC.

Date: JAN 15, 2001

By: Raghu Sharma  
Name: Raghu Sharma  
Title: President

ASSIGNMENT:

   Concurrently filed herewith for recording, a copy of which is attached hereto.  
  X   Previously recorded on: November 10, 1994, at Reel: 7303 Frame : 0832  
and on: July 30, 1993, at Reel: 7043 Frame : 0418.